

United States Bankruptcy Court, District of Nevada

IN RE: USA COMMERCIAL
MORTGAGE COMPANY, ET
AL

PLAINTIFF
Petitioner

DEFENDANT
Respondent

DOCKET NO:
BK-S-06-10725, 10726,
10727, 10728 and
10729 LBR

AFFIDAVIT OF
SERVICE

Now comes, Alex Hernandez, the undersigned and does hereby swear and affirm, affiant is a Private Process Server and Disinterested Person over the age of eighteen. Affiant is not a party in the above styled cause and has a legal domicile of Hyattsville, Maryland.

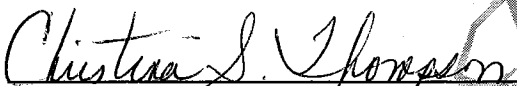
I, Alex Hernandez certify that on, **Wednesday, March 14, 2007**, at **1:30 PM**, I served a copy of the within ***Subpoena and Exhibits*** upon the within named **Bryan Cave LLP**, in the following manner,

(xx) Corporate/Partnership Service: Through Personal Service of each document, a true copy to **William F. Bavinger, III**, whom based on information and belief affiant knew said individual to be Authorized Agent, a person authorized to accept service on behalf of **Bryan Cave LLP**.

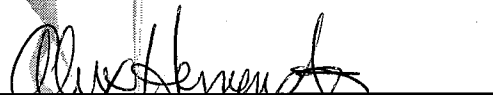
Said service was effected at the following location: **700 13th Street, N.W., Washington, DC 20005**.

I, Alex Hernandez certify that my statements, contained within the foregoing affidavit are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to and subscribed before me on Thursday,
March 15, 2007.


Notary Public

Christina S. Thompson
Comm Exp. 03/01/2011


ALEX HERNANDEZ
P.O. Box 18647
Washington, DC 20036

EXHIBIT

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United States Bankruptcy Court

DISTRICT OF NEVADA

IN REAMENDED SUBPOENA FOR RULE 2004 EXAMINATION

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

JOINTLY ADMINISTERED UNDER
CASE No. BK-S-06-10725-LBR

AFFECTS: ALL DEBTORS

TO: Bryan Cave LLP
c/o William F. Bavinger, III
700 13th Street, N.W.
Washington, DC 20005

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, pursuant to the attached court order, regarding the following topics at the place, date and time specified below:

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATIONPLACE OF TESTIMONY

LEWIS AND ROCA, LLP
3993 HOWARD HUGHES PARKWAY, SUITE 600
LAS VEGAS, NEVADA 89169
(702) 949-8200

DATE AND TIME

April 12, 2007
10:00 A.M.

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTEDPLACE

LEWIS AND ROCA, LLP
40 N. CENTRAL AVENUE, SUITE 1900
PHOENIX, ARIZONA 85004
(602) 262-5311

DATE

March 28, 2007

ISSUING OFFICER SIGNATURE AND TITLE

Eric D. Madden by *S.M.C. of perma*
Special Litigation Counsel for the USACM Liquidating Trust

DATE

March 14, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

ERIC D. MADDEN
DIAMOND MCCARTHY LLP
1201 ELM STREET, 34TH FLOOR
DALLAS, TEXAS 75270
(214) 389-5306